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3 BILL NO. S-78-06-28

4 SPECIAL ORDINANCE NO. S-110-78

5 AN ORDINANCE approving a contract be-  
6 tween Zollner Corporation and the City  
7 of Fort Wayne by and through its De-  
8 partment of Public Safety for Fire  
9 protection.

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
11 INDIANA:

12 SECTION 1. That the contract, dated June 1, 1978, between the  
13 City of Fort Wayne, by and through its Mayor and Board of Public Safety  
14 and Zollner Corporation, for fire protection from the Fort Wayne Fire  
15 Department on specified grounds outside the city limits, described as  
16 follows, to wit:

17 All buildings and improvements of Zollner,  
18 presently located or hereinafter located  
19 on an area which has a frontage of 602.4  
20 feet more or less, along the east right  
21 of way line of Coliseum Boulevard South,  
22 a north boundary line of 1381 feet more  
23 or less, an east boundary line of 765.1  
24 feet more or less, and a south boundary  
25 line of 1854 feet more or less.


26 SECTION 2. That the cost of Zollner Corporation shall be the  
27 sum of \$5,568.86, which amount shall be deposited into Fund No. 110  
28 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated  
29 Sec. 48-6176.

30 SECTION 3. That said contract is on file in the Office of the  
31 Board of Public Safety and is by reference incorporated herein, and made  
32 a part hereof, is hereby in all things ratified, confirmed and approved.

33 SECTION 4. That this Ordinance shall be in full force and  
34 effect from and after its passage and approval by the Mayor.

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APPROVED AS TO FORM  
AND LEGALITY,

  
CITY ATTORNEY

Read the first time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 6-27-78

Charles W. Ulsterman  
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	_____	<u>1</u>	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	<u>X</u>	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 7-11-78

Charles W. Ulsterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 1110-78 on the 11th day of July, 1978.

Charles W. Ulsterman  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of July, 1978, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Ulsterman  
CITY CLERK

Approved and signed by me this 18th day of July, 1978, at the hour of 4:00 o'clock P. M., E.S.T.

Robert Elmsong  
MAYOR

Bill No. S-78-06-28

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
approving a contract between Zollner Corporation and the City of Fort Wayne  
by and through its Department of Public Safety for Fire protection

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

WILLIAM T. HINGA - CHAIRMAN

VIVIAN G. SCHMIDT - VICE CHAIRMAN

JOHN NUCKOLS

PAUL M. BURNS

FREDRICK R. HUNTER

*William T. Hinga*

*John Nuckols*

*Paul M. Burns*

*Fredrick R. Hunter*

7-11-78

CONC. 1-1-78

DATE \_\_\_\_\_ CHARLES W. WESTERMAN, CITY CLERK

## FIRE PROTECTION CONTRACT

This contract is entered into in duplicate this 1st day of June, 1978 between the CITY OF FORT WAYNE, INDIANA, acting by and through its Mayor and Board of Commissioners, Department of Public Safety, ("CITY") and ZOLLNER CORPORATION, an Indiana corporation having its principal place of business in Adams Township, Allen County, Indiana ("ZOLLNER").

WHEREAS, ZOLLNER is the owner of certain improvements upon real estate near but outside the corporate limits of the CITY, described as follows:

All buildings and improvements of Zollner, presently located or hereinafter located on an area which has a frontage of 602.4 feet more or less, along the east right of way line of Coliseum Boulevard South, a north boundary line of 1381 feet more or less, an east boundary line of 765.1 feet more or less, and a south boundary line of 1854 feet more or less.

The said buildings and improvements which are collectively referred to as "the premises" hereafter in this contract are reflected for tax purposes as \$440,470, as issued by the Treasurer of Allen County, Indiana:

and, WHEREAS, ZOLLNER desires to be assured that fire protection by CITY is available at the premises above described:

NOW, THEREFORE, the parties agree as follows:

1. For one continuous calendar year from the date of this Agreement, upon the receipt by CITY'S Fire Department of a notification or signal that there is a fire on the premises above described, CITY shall cause the proper fire fighting station or stations to send such fire fighting equipment, materials, and personnel to the premises as it reasonably send to other similar locations within the corporate limits of CITY.

2. For fire fighting services provided for herein, ZOLLNER shall pay to the CITY the sum of One and Two Thousand Six Hundred Forty-Three Thousandths Dollars (\$1.2643) per One Hundred Dollars (\$100.00) of assessed valuation for tax purposes on the improvements hereinafter identified as the premises. The improvements hereinabove identified have an assessed valuation as indicated of \$440,470. The sum owing

under this contract is therefore \$5,568.86. Said sum shall be payable as follows:

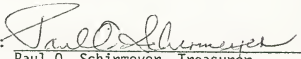
1. \$2,784.43 shall be payable upon execution of this contract.
2. The balance due shall be \$2,784.43 payable on or before November 1, 1978.

3. CITY shall cause its Fire Department personnel and Fire Prevention Bureau personnel to inspect ZOLLNER'S Building, equipment, and facilities periodically, at mutually convenient times, to familiarize such personnel with said buildings, equipment, and facilities and ZOLLNER'S operations on the premises, so as to (1) determine the types of fire which may reasonably be anticipated on the premises; (2) be able to render service commensurate with existing service conditions; (3) so as to make recommendations relative to fire prevention .

4. Notwithstanding the foregoing provisions, this contract shall not become effective until it shall have been signed by the Mayor and the members of the Board of Commissioners, Department of Public Safety of CITY.

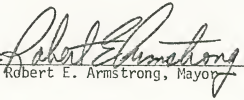
ZOLLNER CORPORATION

BY:

  
Paul O. Schirmeyer, Treasurer

CITY OF FORT WAYNE, INDIANA

By:

  
Robert E. Armstrong, Mayor

BOARD OF COMMISSIONERS,  
DEPARTMENT OF PUBLIC SAFETYBy: W. Jerry Coonan  
ChairmanBy: William L. Kerr  
William L. Kerr, Member, Acting  
ChairmanBy: Solon Jennings  
Solon Jennings, Member

I hereby certify that the foregoing contract was ratified and  
approved by the Common Council of the City of Fort Wayne, Indiana,  
on July 11, 1978.

Charles W. Westerman  
Charles W. Westerman, Clerk

DIGEST SHEET

L-78-06-28

TITLE OF ORDINANCE Outside the City Limits Fire ContractDEPARTMENT REQUESTING ORDINANCE Board of Public Safety

SYNOPSIS OF ORDINANCE This would allow the City of Fort Wayne to provide fire  
protection for Zollner. They, in turn, will pay the City  
\$5,568.86, which is used to purchase fire equipment.

EFFECT OF PASSAGE The Fort Wayne Fire Department will receive \$5,568.86EFFECT OF NON-PASSAGE The Fire Department will lose \$5,568.86MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_

DATE SUBMITTED: June 13, 1978

Finance